IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1333 OF 2006

Eshwar E. Naik..... .... Petitioner.
Versus
Balaji Travels Pvt.Ltd..... ... Respondent.

Mr. B. A. Vora for the Petitioner.
Mr. A. S. Shitole, APP for the State.

CORAM : D. B. BHOSALE, J.

DATED : 10TH JULY, 2006.

P.C.:

In this writ petition, the petitioner has impugned the order dated 11th May, 2006 rendered by the Additional Sessions Judge, Greater Mumbai rejecting the petitioner's revision which was directed against the order passed by the Metropolitan Magistrate. The Metropolitan Magistrate vide his order dated 5th April, 2006 rejected the application of the petitioner filed under section 311 for recalling P.W. 1. The only grounds for seeking such permission was that through inadvertence certain questions remained to be asked to the witness and that after the examination of P.W. 1 got over the Registrar of Companies attended the court and filed

certain documents on which the certain questions are required to be asked to P.W.1. The reasons stated were vague. To my specific query as to what questions either pertaining to the documents produced by the Registrar of Companies or otherwise the petitioner desires to ask, the learned counsel for the petitioner neither could give any particulars of the documents produced by the Registrar of Companies nor he could state as to what questions he intends to ask on the basis of those documents. I am satisfied that this application is filed only to delay the proceedings. In the circumstances, this petition is dismissed.

Sd/-

(D. B. BHOSALE, J.)